

ZB# 97-22

Domenico Scaglione

6-1-20

Prelim.
June 23, 1997
Photo submitted

Notice to Santino 7/1/97.
Photos here & letters out
Dead here & 7/19/97.

Public Hearing:
August 11, 1997.
Area Variance
Approved

Refund: \$189.50

#97-22- Scaglione, Domenico
Area 6-1-20.

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12553

General Receipt

16172

Received from

July 10 1997
Seaglorre Quality Builders \$ 50.00

For

Sept. and 20 DOLLARS
SPR #97-22 App. Dec. 100

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>PR 1248</u>		<u>50.00</u>

By

Deborah Hanson
Town Clerk

TITLE

WILLIAMSON LAW BOOK CO., VICTOR, NY 14564



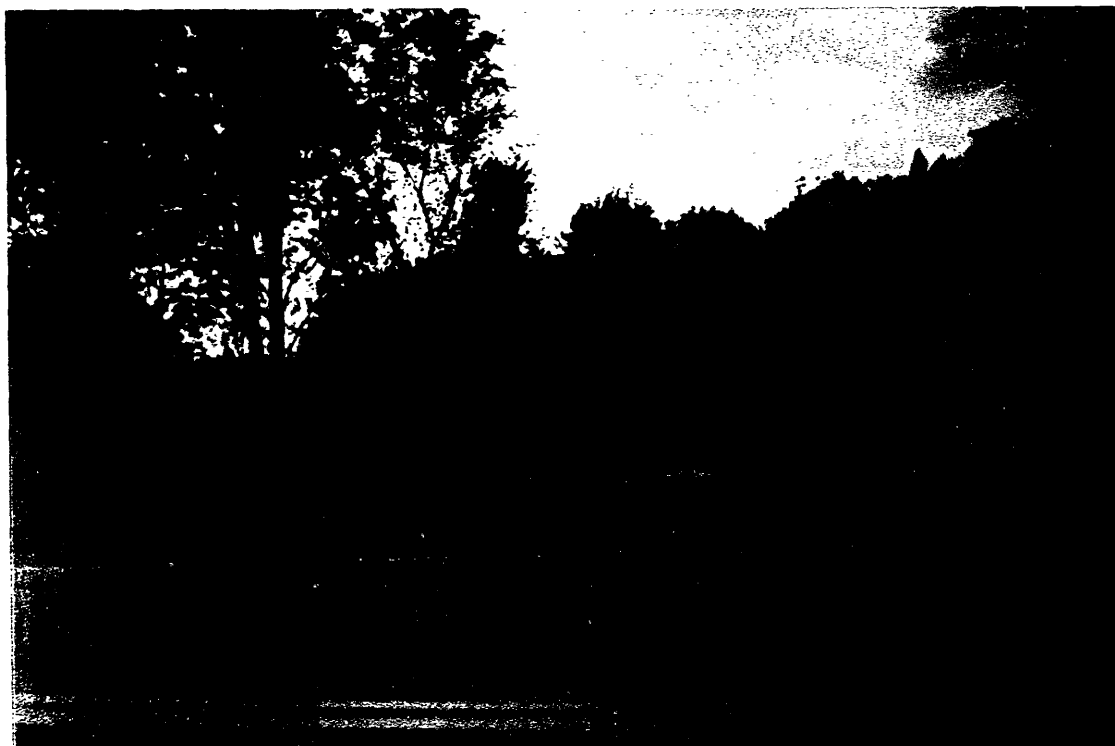
DISTRIBUTION:

FUND	CODE	AMOUNT
CR 1248		50.00

WILLIAMSON LAW BOOK CO., VICTOR, NY 14564

By

Dorothy Hansen
Town Clerk
 TITLE





141-XA - Maguire, Doreen
Area 6-1-20.

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Scaglione, Dominick

FILE# 97-22

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA ☐

USE ☐

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid ck# 1248
7/9/97*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*paid ck 1249
7/9/97*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 6/23/97-5 \$ 22.50
2ND PRELIMINARY- PER PAGE 8/1/97-4 pages \$ 18.00
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____
TOTAL \$ 40.50

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: ... 6/23/97 \$ 35.00
2ND PRELIM. ... 8/1/97 \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING. \$ _____
PUBLIC HEARING (CONT'D) \$ _____
TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____
TOTAL \$ 110.50

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT . \$ 189.50

Refund

[illegible]

**SCAGLIONE QUALITY BUILDERS**241 TEMPLE HILL ROAD
NEW WINDSOR, NY 12553

1249

29-7003/2213
24

7-9 1997

PAY
TO THE
ORDER OF

TOWN OF NEW WINDSOR

\$ 300.00

Three Hundred Dollars and 00/100

DOLLARS

**ALBANK**Route 32 & Old Temple Hill Road
Valley Gate, NY 12584

FOR

ZBA #97-22

Jaminick Scaglione

⑆001249⑆ ⑆221370030⑆ 24 00002081⑆010158

**SCAGLIONE QUALITY BUILDERS**241 TEMPLE HILL ROAD
NEW WINDSOR, NY 12553

1248

29-7003/2213
24

7-9 1997

PAY
TO THE
ORDER OF

TOWN OF NEW WINDSOR

\$ 50.00

Fifty Dollars and 00/100

DOLLARS

**ALBANK**Route 32 & Old Temple Hill Road
Valley Gate, NY 12584

FOR

ZBA #97-22

Jaminick Scaglione

⑆001248⑆ ⑆221370030⑆ 24 00002081⑆010158

Date 8/18/97, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 168 N. Drury La DR.
Newburgh, NY 12553

DATE		CLAIMED	ALLOWED
8/11/97	Zoning Board Mtg	75.00	
	Misc - 3		
	Barbara - 7		
	Casey - 5		
	Mens / Toyota - 3		
	Craig / Toyota - 3		
	Scraglione - 4 14.00		
	25 pp	112.50	
		187.50	

PUBLIC HEARING

SCAGLIONE, DOMINICK

MR. TORLEY: Referred by Planning Board for 20 ft. lot width variance as the result of a lot line change in order to subdivide two lots located on the north side of Union Avenue in an R-4 zone.

Mr. Gerald Zimmerman appeared before the board for this proposal.

MR. KRIEGER: Let the record reflect there is no one in the audience who cares to speak.

MS. BARNHART: Let the record reflect that we sent out 43 notices too and nobody came so-- We have some plans here too.

MR. ZIMMERMAN: Mr. Scaglione is here also.

MS. OWEN: The 20 feet that you are looking for is just that easement?

MR. ZIMMERMAN: Actually, well, our proposal, you know, as the plans reflect we're proposing to construct single family dwelling on lot number 2 which is shown on the plan in terms of all the bulk requirements, I have indicated that in the table on lot number 2, and as you can see, we meet and well exceed all of the zoning requirements. The only requirement that we don't meet is the lot width requirement where the zoning requires a hundred feet, the applicant has 80 feet so at the front seat back line for lot number 2, there's 80 feet and only requires a hundred feet so we're looking for a 20 foot variance from the lot width requirement.

MR. KRIEGER: At the place of the proposed location of the house however the lot is approximately 120 feet width, is that correct?

MR. ZIMMERMAN: Actually, it's 120 plus 60, 180 feet.

MR. KRIEGER: At the location of the proposed house?

MR. ZIMMERMAN: Right, at the dwelling itself, there does exist 180 feet of lot width.

MR. TORLEY: I'm confused by the plot, my reading shows the back line is 120.00 feet.

MR. ZIMMERMAN: Yeah, then there's another course see it's 120 for this length and then from here to here is another 59 so all told it's 180 feet.

MR. TORLEY: Should this variance be granted, and you move forward with the construction of the house, there'd not be any, in your opinion, any detrimental changes to the character of the neighborhood?

MR. ZIMMERMAN: Yeah, that is correct, we felt that you know what we'd be looking to construct is a single family dwelling which is in conformity and with other structures in the neighborhood, yes.

MR. KRIEGER: Would it be fair to say this is a mixed commercial and residential both uses appearing?

MR. ZIMMERMAN: Yes, across the street there's commercial property existing, a restaurant, YMCA is across the street.

MR. KRIEGER: But both of these lots are bordered by residential use?

MR. ZIMMERMAN: That is correct.

MR. KANE: Have you removed any trees or done any type of landscaping that would cause any water hazards, anything along those lines?

MR. ZIMMERMAN: I would say in answer to your question that there was, there has been some construction on the adjoining property but really nothing that would cause any adverse affects on the lot itself that we're asking for the variance.

MR. TORLEY: I see there's a 20 foot wide sanitary sewer easement, is that running parallel to the one

edge of the property?

MR. ZIMMERMAN: Yes, that is correct.

MR. TORLEY: Do we not then have to change the variance request to exclude the sewer easement?

MR. BABCOCK: No.

MR. TORLEY: For area, not for--

MR. BABCOCK: Only for lot area.

MR. TORLEY: Seeing how you're intending to run a driveway over part of that easement, I assume you are well aware that should the town need to dig it up, it's your problem as far as fixing it, your driveway?

MR. ZIMMERMAN: Yes, actually that driveway currently exists but in answer to your question, we're aware of that.

MR. TORLEY: There's an existing gravel driveway but your proposed new driveway will also encroach on the easement?

MR. ZIMMERMAN: That is correct.

MR. TORLEY: Gentlemen?

MR. KANE: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: I make a motion that we accept Mr. Scaglione's request for a variance on his lot on Union Avenue.

MS. OWEN: Second it.

ROLL CALL

MS. OWEN	AYE
MR. REIS	AYE
MR. KANE	AYE

August 11, 1997

24

MR. TORLEY

AYE

MR. SCAGLIONE: Thank you very much.

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

Prelim.
June 23, 1997.
97-12

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 97-17

DATE: 12 JUN 97

APPLICANT: DOMENICO SCAGLIONE
241 TEMPLE HILL RD.
NEW WINDSOR N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED _____

FOR (SUBDIVISION) - ~~SITE PLAN~~ _____

LOCATED AT UNION AVE _____

ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 6 BLOCK: 1 LOT: 20

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

LOT WIDTH VARIANCE REQ'D FOR LOT 2


MICHAEL BABCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE _____	USE _____	LOT 1 / LOT 2	LOT 1 / LOT 2
MIN. LOT AREA	<u>15 000 SF</u>	<u>15 591⁺ / 50 709⁺</u>	<u>—</u>
MIN. LOT WIDTH	<u>100 FT</u>	<u>100 / 80</u>	<u>0 / 20</u>
REQ'D FRONT YD	<u>35 FT</u>	<u>50 / 208</u>	<u>—</u>
REQ'D SIDE YD.	<u>15 FT</u>	<u>25 / 50</u>	<u>—</u>
REQ'D TOTAL SIDE YD.	<u>30 FT</u>	<u>88 / 129</u>	<u>—</u>
REQ'D REAR YD.	<u>40 FT</u>	<u>80 / 128</u>	<u>—</u>
REQ'D FRONTAGE	<u>60 FT</u>	<u>100.8⁺ / 80.1⁺</u>	<u>—</u>
MAX. BLDG. HT.	<u>35 FT</u>	<u>—</u>	<u>—</u>
FLOOR AREA RATIO	<u>—</u>	<u>—</u>	<u>—</u>
MIN. LIVABLE AREA	<u>1000 SF</u>	<u>—</u>	<u>—</u>
DEV. COVERAGE	<u>30 %</u>	<u>— %</u>	<u>— %</u>
O/S PARKING SPACES	<u>14</u>	<u>—</u>	<u>—</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
 (914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

May 14, 1997

4

POSSIBLE Z.B.A. REFERRALS:

SCAGLIONE, DOMENICO SUBDIVISION (97-17) UNION AVENUE

Mr. Gerald Zimmerman appeared before the board for this proposal.

MR. PETRO: Is this a different one?

MR. ZIMMERMAN: Yes.

MR. PETRO: Mr. Zimmerman, what are we doing here?

MR. ZIMMERMAN: Okay, this is a one and a half acre lot located on Union Avenue and what the applicant proposes to do is to subdivide this lot into two parcels, one lot number one as I have indicated on the plan is a lot that is a little over 15,000 square feet and meets the zoning requirements for water and sewer in all respects. The second lot which is almost 51,000 square feet also served by water and sewer, the limitation or the reason why we need a variance is that the lot width is 80 feet where the zoning requires 100.

MR. PETRO: On the road?

MR. ZIMMERMAN: Yes.

MR. LANDER: You need 100 and you have got 67 and 40?

MR. ZIMMERMAN: Actually, 67 and 12, so there's approximately 80 feet where the law requires 100.

MR. PETRO: I see the sewer runs directly behind the lot 2, so that would be real easy to access and you're going to access it from the front house where lot number one would be accessed for sewer, I see it's coming off to the west but where does it go?

MR. ZIMMERMAN: What we'd like to do as opposed to crossing Union Avenue, where the sewer line is on the other side, we'd like to go across the proposed lot number 2 and connect into the easement on lot number 2.

MR. PETRO: Does that easement run up the westerly

May 14, 1997

5

boundary line, is that what that does, the 20 foot bends and comes up so you'd go directly across?

MR. ZIMMERMAN: Yes.

MR. PETRO: You'd have to get an easement from lot number 2 dedicated to lot number one?

MR. ZIMMERMAN: Yes..

MR. PETRO: Correct Andy?

MR. KRIEGER: Yes.

MR. LUCAS: Water is on that side of Union though right?

MR. ZIMMERMAN: That is correct, that is why we're coming straight out.

MR. PETRO: Obviously Dominick you own both lots so granting yourself an easement won't be a problem, correct?

MR. SCAGLIONE: Right.

MR. PETRO: Basically, unless someone has a real problem, one other question before I get to that, the total lot size is what about?

MR. ZIMMERMAN: Total lot area is an acre and a half, about 65,000, 66,000.

MR. LANDER: Mr. Chairman, we have a 20 foot easement, a sewer easement coming down that property, is that subtracted from his road frontage or just from the lot area?

MR. PETRO: No, it's not.

MR. EDSALL: It just affects lot area.

MR. LANDER: The sewer easement has that be subtracted from the lot area.

MR. ZIMMERMAN: I haven't done that calculation as of yet.

MR. BABCOCK: Ron, he needs 15,000 square feet to build there and he has 50,000 so without that subtracted out I'm sure he's got more than enough.

MR. LANDER: Does the 20 foot sewer easement, does that come off his road frontage also?

MR. BABCOCK: No, only affects lot area.

MR. PETRO: Mr. Zimmerman, there is a few housekeeping notes that you can take Mark's comments with and go over those, we're not going to hold you up tonight because basically you're here for an approval so what we're going to do is--

MR. LANDER: Send him to zoning, right?

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Scaglione minor subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred over to the New Windsor Zoning board to try to receive the necessary variances that you require here. Once you have received those variances, they are put on this map, you can then be put back on this agenda and this

May 14, 1997

7

board will further review it as a planning board review. Thank you.

MR. ZIMMERMAN: Thank you.

**ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK**

In the Matter of the Application for Variance of

Dominick Scaglione,
Applicant.

#97-22

**AFFIDAVIT OF
SERVICE BY
MAIL**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, Windsor, N. Y. 12553.

That on July 9, 1997, I compared the 43 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this
9th day of July, 1997.

Deborah Green
Notary Public

**DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1997**

- 1 City of Newburgh
Newburgh Water Supply
c/o City Comptroller
City Hall
Newburgh, NY 12550 X
- 2 Rosytoe Associates Limited Partnership
324 E. Peenpack Trail
Sparrow Bush, NY 12780 X
- 3 August Associates, Inc.
P.O. Box 829
Wappingers Falls, NY 12590 X
- 4 Eugene Loia
P.O. Box 829
Wappingers Falls, NY 12590 X
- 5 Howard J. III & Carol D. Picard
70 Wells Rd.
Newburgh, NY 12550 X
- 6 Susan & Mark Fischer, Lt. Co.
3117 Worthington Circle
Falls Church, VA 22044 X
- 7 Orange County Industrial Development Agency
County Building
253-72 Main St.
Goshen, NY 10924 X
- 8 Eugene Hecht
88 Lake Osiris Rd.
Walden, NY 12586 X
- 9 Robert Gunn, Joseph Fischera & Steven Nordahl
c/o Automotive Brake Co. of Newburgh, Inc.
508 Temple Hill Rd.
New Windsor, NY 12553 X
- 10 Michael Bigg Jr.
Route 32
P.O. Box 181
Vails Gate, NY 12584 X
- 11 Production Resource Group, LLC
Shore Rd.
Cornwall, NY 12520 X
- 12 Anthony Granuzzo
DBA Gamma Realty
Lincoln Rd.
Putnam Valley, NY 10579 X
- 13 Willard & Mary Jaime
20 Clarkview Rd
New Windsor, NY 12553 X

- 14 James & Frances Lego
22 Clarkview Rd.
New Windsor, NY 12553 X
- 15 Gerald & Laurie Landry
24 Clarkview Rd.
New Windsor, NY 12553 X
- 16 John & Ellen Walsh
26 Clarkview Rd.
New Windsor, NY 12553 X
- 17 Benny & Nancy Almodovar
28 Clarkview Rd.
New Windsor, NY 12553 X
- 18 Janette Hyzer
30 Clarkview Rd.
New Windsor, NY 12553 X
- 19 Larry & Clyde Sweeney
32 Clarkview Rd.
New Windsor, NY 12553 X
- 20 Raphael & Carol VanVoorhis
34 Clarkview Rd.
New Windsor, NY 12553 X
- 21 Richard & Patricia Jennings
36 Clarkview Rd.
New Windsor, NY 12553 X
- 22 William Senikowich & Guillian Ramona
38 Clarkview Rd.
New Windsor, NY 12553 X
- 23 Madeline & Philip Infante
602 Union Ave
New Windsor, NY 12553 X
- 24 Todd Jobson & Karen Haight
604 Union Ave.
New Windsor, NY 12553 X
- 25 Robert McDougall
614 Union Ave.
New Windsor, NY 12553 X
- 26 Harry & Dorothy Simpson
Box 941
Newburgh, NY 12550 X
- 27 Jose Ramirez
618 Union Ave.
New Windsor, NY 12553 X

- 26 Wilson & Maricelis Rosa
628 Union Ave.
New Windsor, NY 12553 X
- 27 Mario & Ruth Ronsini
630 Union Ave.
New Windsor, NY 12553 X
- 30 Olympia Rossi
52 Balmville Rd
Newburgh, NY 12550 X
- 31 County of Orange
255-275 Main St.
Goshen, NY 10924 X
- 32 Joseph Lewin
16 Catalpa Rd.
Newburgh, NY 12550 X
- 33 Nicholas Jr. & Juanita Ronsini
322A Temple Hill Rd.
New Windsor, NY 12553 X
- 34 John & Nancy Sharp
25 Clarkview Rd
New Windsor, NY 12553 X
- 35 Herman & Marie Walker
27 Clarkview Rd.
New Windsor, NY 12553 X
- 36 Diane Maskiell & Douglas Brown Jr.
29 Clarkview Rd.
New Windsor, NY 12553 X
- 37 David & Rose Smith
1 President Ct.
New Windsor, NY 12553 X
- 38 Elizabeth Maisonet
9 President Ct.
New Windsor, NY 12553 X
- 39 Luigi & Anna Muratore
31 Clarkview Rd.
New Windsor, NY 12553 X
- 40 James & Marriann Bott
33 Clarkview Rd.
New Windsor, NY 12553 X
- 41 Harold & Vera Porath
35 Clarkview Rd.
New Windsor, NY 12553 X

42 Elwood & Florence Wilson
592 Union Ave.
New Windsor, NY 12553 X

43 Zebedee & Betty Herring
1782 Davis Rd
Garland, NC 28441 X

Pls. publish on or before 7/17/97. Send bill to Ap. below address.

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 22

Request of Domenico Scaglione

for a VARIANCE of the Zoning Local Law to permit:

An 80' lot width where 100' is required in an R-4 Zone.

being a VARIANCE of Section 48-12 - Table of Use/Bulk
Regs., Col. D

for property situated as follows:

On the north side of Union Avenue 600' east of the intersection of
New York State Route 300.

known as tax lot Section 6 Block 1 Lot 20

SAID HEARING will take place on the 11th day of August,
1997, at New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York, beginning at 7:30 o'clock P. M.

James Nugent.
Chairman

By: Patricia A. Barnhart, Secy.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

REVIEW NAME: SCAGLIONE MINOR SUBDIVISION
PROJECT LOCATION: UNION AVENUE (NEAR ROUTE 300)
SECTION 6-BLOCK 1-LOT 20
PROJECT NUMBER: 97-17
DATE: 14 MAY 1997
DESCRIPTION: THE APPLICATION PROPOSES THE SUBDIVISION OF THE
1.5 +/- ACRE PARCEL INTO TWO (2) SINGLE-FAMILY
RESIDENTIAL LOTS. THE PLAN WAS REVIEWED ON A
CONCEPT BASIS ONLY.

1. The property is located within the R-4 Zoning District of the Town. The "required" bulk information shown on the plan appears correct for the Zone and Use Group, although the bulk table is incomplete at this time.

Based on a review of the bulk requirements and the lot layout, it would appear that each lot easily meets the minimum bulk requirements, with the exception of the need for a variance for lot width for Lot 2. A referral to the Zoning Board of Appeals would appear appropriate at this time.

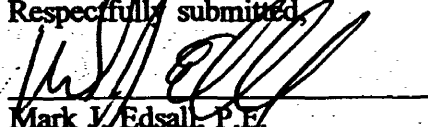
2. I have performed a concept review of the subdivision plan and note the following comments which can be addressed by the Applicant upon return to the Planning Board, after they are finished with the Zoning Board of Appeals:
 - a. The bulk table should be completed to include street frontage, building height, minimum livable area, and development coverage values.
 - b. The Applicant's surveyor should check the total side yard value for Lot 1.
 - c. The lot area for Lot 2 on the plan should also reference a "net" area, with all easements subtracted.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: SCAGLIONE MINOR SUBDIVISION
PROJECT LOCATION: UNION AVENUE (NEAR ROUTE 300)
SECTION 6-BLOCK 1-LOT 20
PROJECT NUMBER: 97-17
DATE: 14 MAY 1997

- d. An easement should be created through Lot 2, to the benefit of Lot 1, for their sewer lateral connection.
 - e. The plan should note that the house on proposed Lot 1 is currently under construction.
3. At such time that the Applicant returns from the Zoning Board of Appeals with the necessary variance, I will continue my review of this application.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:SCAGL-17.mk

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Domenico Scaglione	2. PROJECT NAME Subdivision for Domenico Scaglione
3. PROJECT LOCATION: Municipality <u>Town of New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) North side of Union Avenue 250 feet west of Clark View road	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: A two lot subdivision of 15± acres of land. Lot No. 1 is 15,591 ± square feet, Lot No. 2 is 50,769 ± square feet both lots to be served by municipal water and sewer	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.5±</u> acres Ultimately <u>1.5±</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly Lot width variance required for Lot No. 2	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals Town of New Windsor Zoning Board of Appeals lot width variance	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>DOMENICO SCAGLIONE</u> Date: <u>May 8, 1997</u>	
Signature: <u>by Gerald J. [Signature] Proj. Engr.</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (to be completed by Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.67 If No, a negative declaration may be superseded by another involved agency.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, flora, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p> 	
<p>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly</p>	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

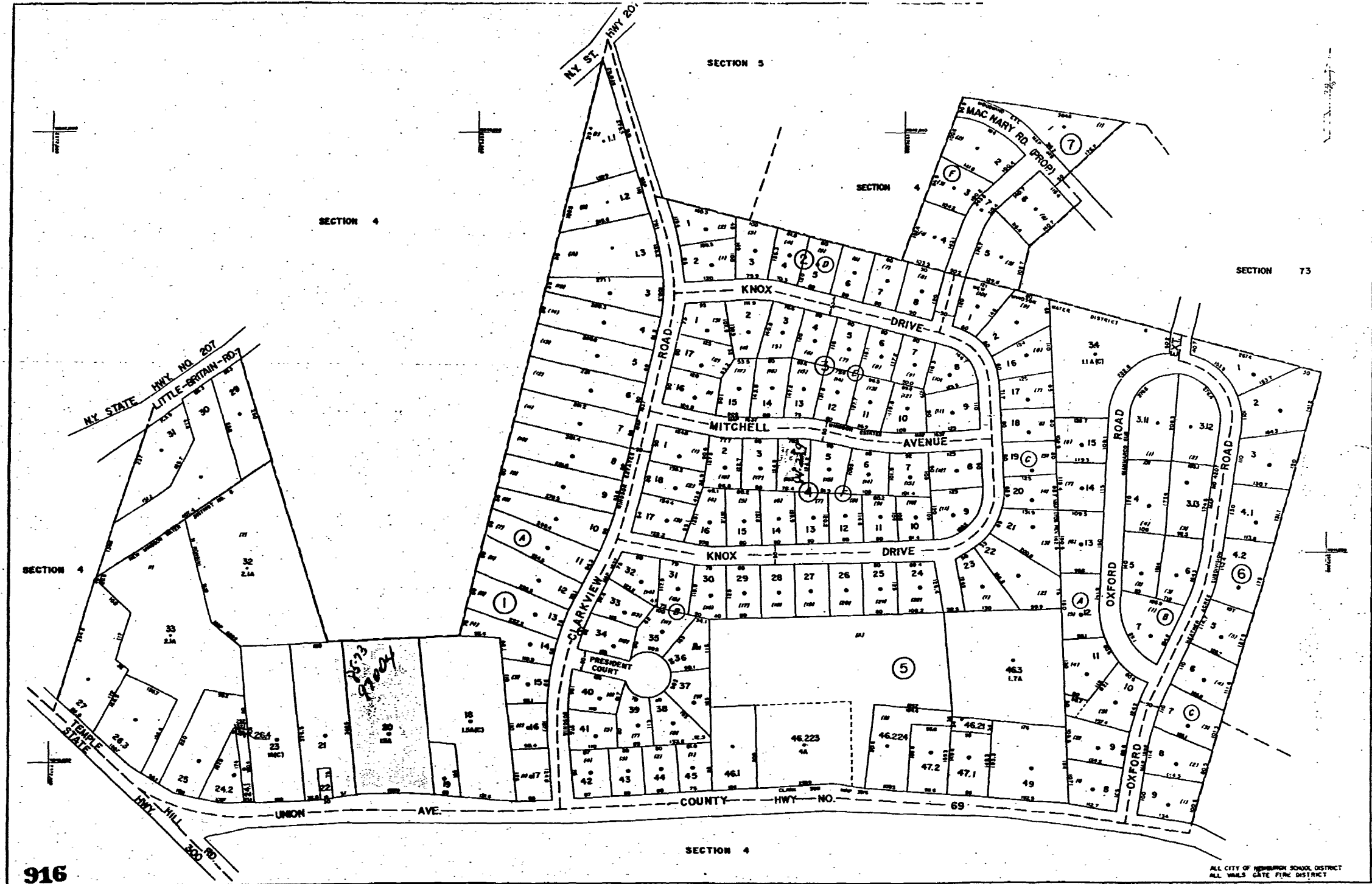
Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date



916

Reported by
AERO SERVICE
CORPORATION
FOR TAX PURPOSES ONLY

LEGEND			
ADJACENT COUNTY LINE	PLAT PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN VILLAGE LINE	ADJACENT LOT LINE	TAX MAP PARCEL NO.	FILED PLAN PARCEL NO.
PARCEL & DISTRICT LINE	STREET LINE	ADJACENT	STATE HIGHWAY
SPECIAL DISTRICT LINE	STREET LINE	3-DIGIT-2-DIGIT	TOWN ROAD
PROPERTY LINE			

ORANGE COUNTY-NEW YORK

Photo No. 15-47, 48 Date of Map 9-25-87
Date of Photo 1-1-87 Date of Revision 3-1-87

TOWN OF NEW WINDSOR

Section No. 6

ALL CITY OF NEWBURGH SCHOOL DISTRICT
ALL WALLS GATE FIRE DISTRICT

THIS INDENTURE, made the 29th day of May, nineteen hundred and eighty five
BETWEEN DOMINICK CASALINUOVO and ROSE CASALINUOVO, residing at
606 Union Avenue, Town of New Windsor, County of Orange, State of
New York,

party of the first part, and DOMENICO SCAGLIONE, residing at R.D. 2,
New Windsor, N.Y. 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 - - -

----- (\$10.00) dollars,

lawful money of the United States, and other good and valuable consideration paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,

lying and being in the Town of New Windsor, County of Orange and State of
New York, more particularly bounded and described as follows:

48
Sect. 6
Bl. 1
Lot 20

BEGINNING at a point on the northerly line of Union Avenue, said point being referenced N 80° 55' 00" W, 60.00 feet along the northerly line of Union Avenue from an iron pipe at the south-easterly corner of lands N/F CasalINUOVO (Liber 1191 - Page 111). Thence from said point of beginning and along the northerly line of Union Avenue on the following four (4) courses and distances, (1) N 80° 55' 00" W, 54.11 feet to a point; thence (2) N 80° 15' 00" W, 6.37 feet to a point; thence (3) N 83° 15' 00" W, 108.33 feet to a point; thence (4) N 89° 02' 00" W, 12.00 feet to an iron pipe; thence running along lands N/F Hughes (Liber 1931 - Page 702) N 0° 49' 00" E, 368.53 feet to a point; thence running along lands N/F City of Newburgh on the following two (2) courses and distances, (1) S 85° 29' 00" E, 120.00 feet to a point; thence (2) S 85° 25' 00" E, 60.48 feet to a point; thence running along lands N/F Infante (Liber 1219 - Page 437) and along lands N/F CasalINUOVO (Liber 1191 - Page 111) S 0° 49' 00" W, 375.15 feet to the point or place of beginning.

Containing in area 1.5 acres of land more or less.

SUBJECT to a 20 foot wide sewer easement whose westerly line is described as follows. Beginning at the southwesterly line of the premises herein described; thence, along the westerly line of the herein described premises on a course N 0° 49' 00" E for 230.00 feet to a point; thence on a course N 54° 24' 00" W for 225 feet to the northeast corner of the herein described premises.

SAID PREMISES BEING AND INTENDED TO BE the same premises as were conveyed to Dominick CasalINUOVO and Rose CasalINUOVO by a deed from Marie B. Crepeau dated September 14, 1953 and recorded in the Orange County Clerk's Office on September 17, 1953 in Liber 1281 of Deeds at page 352.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF

Vincent Geraci

Dominick Casalnuovo
Dominick Casalnuovo

Rose Casalnuovo
Rose Casalnuovo

LIBER 2366 PG 235

解:

On the _____ day of _____, 19____, before me
personally came _____

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

Vincent Geraci

解：

On the _____ day of _____, 19____, before me personally came _____ the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that _____ he resides at No. _____

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

DOMINICK CASALINUOVO & ROSE CASALINUOVO

TO

DOMINICK SCAGLIONE

STANDARD FORM OF

NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

Lawyers Title Insurance Corporation

Home Office — Richmond, Virginia

750 THIRD AVENUE AT 46TH STREET, NEW YORK, N. Y. 10017

The land affected by the within instrument lies in:

SECTION

BLOCK

LOT

COUNTY OR TOWN

RECORDED AT THE REQUEST OF

Lawyers Title Insurance Corporation

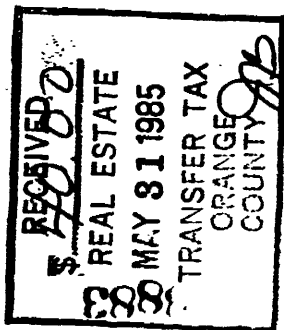
RETURN BY MAIL TO

Vincent Geraci, Esq.

8 Mill Street

Newburgh, New York 12550

Reserve This Space For Use of Recording Office



LIBER 2366 PG 238

Orange County Clerk's Office, s.s.
Recorded on the 3/5/ day
of May 1985 at 2:30
o'clock M. in Liber 2366
Deeds at page 238
and Examined.

Handwritten signature: Thomas P. Murphy

40-
14-
2-

OT

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

97-22.

Date: 6/26/97

I. Applicant Information:

- (a) Domenico Scaglione; 241 Temple Hill Rd., New Windsor, NY 12553; 562-7043
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) Zimmerman Engineering & Surveying; Route 17M; Harriman, NY 10926; 782-7976
(Name, address and phone of ~~contractor~~/engineer/~~architect~~)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-4 115 Union Avenue 6-1-20 66,301±s.f.
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? PI; OLI
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 1985
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No
- _____
- _____
- _____

IV. Use Variance. N.A.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No x.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk | Use Regs., Col. D _____.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>15,000</u>	<u>50,709 s.f.</u>	<u>--</u>
Min. Lot Width <u>100'</u>	<u>80'</u>	<u>20'</u>
Reqd. Front Yd. <u>35'</u>	<u>208'</u>	<u>--</u>
Reqd. Side Yd. <u>15'/30'</u>	<u>50'/129'</u>	<u>--</u>
Reqd. Rear Yd. <u>40</u>	<u>128'</u>	<u>--</u>
Reqd. Street Frontage* <u>60</u>	<u>80'</u>	<u>--</u>
Max. Bldg. Hgt. <u>35</u>	<u>35'</u>	<u>--</u>
Min. Floor Area* <u>1,000</u>	<u>1,500'</u>	<u>--</u>
Dev. Coverage* <u>30</u> %	<u>20</u> %	<u>--</u> %
Floor Area Ratio** <u>N.A.</u>	<u>N.A.</u>	<u>--</u>
Parking Area <u>2</u>	<u>2</u>	<u>--</u>

* Residential Districts only

** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

Describe why you believe the ZBA should grant your application for an area variance:

1. The ZBA should grant this variance because, it will cause no hazard to the health, safety or welfare of the neighborhood no detriment to the adjoining properties will be caused.

(SEE ATTACHMENT FOR 2 thru 5)

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N.A.

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. N/A

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the proposal before the Board:

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

Attachment to Application for Variance

V. Area variance:

(b)

2. Only 80' of lot width will exists and no other land is available.
3. The variance requested is not substantial. 100' required and 80' is being provided.
4. The variance will not have an adverse effect on the environment since a single family house is in conformity with the neighborhood.
5. The difficulty was not self-created since the lot dimensions existed when the applicant purchased the property.

[illegible]

x Copy of referral from ~~Bldg./Zoning Inspector~~ Planning Bd.
 x Copy of tax map showing adjacent properties.
 N/A Copy of contract of sale, lease or franchise agreement.
 x Copy of deed and title policy.
 x Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
 N/A Copy(ies) of sign(s) with dimensions and location.
 x Two (2) checks, one in the amount of \$50- and the second check in the amount of \$300.-, each payable to the TOWN OF NEW WINDSOR.
 x Photographs of existing premises from several angles.

Date: July 9, 1997

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

9th day of July, 1997.
Patricia C. Banhart

(a) Public Hearing date:

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Date 6/21/81, 19.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Frances Roth 165 North Drury La DR.
Newburgh, NY 12550

DATE		CLAIMED	ALLOWED
6/23/91	Zoning Board Mtg	75.00	
	MISC - 2		
	Scagline - 5	22.50	
	Hissland - 3		
	Suraci - 3		
	<u>13 pp</u>	<u>58.50</u>	
		133.50	

PRELIMINARY MEETING:

SCAGLIONE, DOMENICO

MR. NUGENT: Referred by Planning Board for 0/20 ft. lot width variance for lot #2 in a two lot subdivision located on Union Avenue in an R-4 zone.

Mr. Gerald Zimmerman, P.E. appeared before the board for this proposal.

MR. NUGENT: What's 0/20?

MR. BABCOCK: Well, you have a side yard and a total side yard, Jim, when you read the bulk tables it says 20, 40, 20, 80, whatever it is, so we need zero on one side and a total of 20.

MR. NUGENT: Okay, proceed, I'm sorry.

MR. ZIMMERMAN: Okay, all right, this property the, board's acquainted with it, but it's located right out here on Union Avenue. Basically, there's a new house being built on the property, it's across from the pizza place and at the present time, that dwelling is being constructed obviously on the entire property but according to our map, it would be in the location shown on lot number one. So what we have done--

MR. NUGENT: Do you have an extra map?

MS. BARNHART: There should be one, I'm sorry, Carol's got one attached to the--

MR. BABCOCK: I have one here, Mike, would you like to look at it?

MR. KANE: Thanks.

MR. NUGENT: Just so we can follow.

MS. OWEN: Where on Union Avenue is this?

MS. BARNHART: Across from Planet Pizza.

MR. ZIMMERMAN: Across from Planet Pizza actually there's a new house, we have some photographs.

MR. SCAGLIONE: Yeah, I have some here.

MR. BABCOCK: Jimmy, I need to correct what I said before, I thought we were talking side yard lot 1 requirement is a hundred feet, lot 1 has a hundred so it is zero, they don't need a variance for that. He just wanted to show you that lot 2 has 80 feet so they need a variance of 20 foot width.

MR. NUGENT: Because of the easement?

MR. BABCOCK: That is correct.

MR. NUGENT: Okay.

MR. ZIMMERMAN: This is the location of the house that is under construction, variance that we're looking for would be on this proposed lot.

MR. NUGENT: Other lot.

MR. ZIMMERMAN: Yes.

MR. KANE: Excuse me, the variance is strictly due because of the easement?

MR. BABCOCK: Well--

MR. NUGENT: They have got 120 foot in the back.

MR. BABCOCK: Yeah, the lot width is measured at the street line now.

MR. NUGENT: At the who?

MR. BABCOCK: At the street line.

MR. NUGENT: Okay.

MR. BABCOCK: It used to be and/or building line and setback line and they took that out because he has a hundred foot lot width back at his building.

MR. KANE: It's at the entrance that he doesn't have it?

MR. BABCOCK: That is correct.

MR. ZIMMERMAN: So as by showing the bulk table particularly for lot number 2, this new lot that we're looking to create meets and exceeds the zoning requirements by far in all respects, however, for the lot width we're 20 feet shy on that.

MR. KANE: And on the proposed house on lot 1 everything on that particular piece of property meets all the zoning requirements?

MR. BABCOCK: Yes, he's building a house there right now.

MR. KANE: Yeah, I have seen it.

MR. KRIEGER: That existing house and the existing gravel driveway will they remain?

MR. ZIMMERMAN: Existing house will remain, the existing gravel driveway probably will also. It's been there for, you know, for as long as that house has been there so existing house is not, is someone's else's, it's occupied and will remain.

MR. KANE: Is that a common entrance on the driveway and then just splits off to the proposed driveway?

MR. SCAGLIONE: No, no.

MR. BABCOCK: The existing driveway shouldn't be there, it's his neighbor's driveway, he just kind of like put a temporary driveway on this guy's property. Now he's trying to work it out with his neighbor now whether he is going to let him park there or not and I told him that that was up to him to deal with his neighbor if he decides his neighbor can no longer use that driveway that is it, he can no longer use it.

MR. SCAGLIONE: He has his own driveway on that side.

MR. BABCOCK: He has his own, not like he has to have this.

MR. NUGENT: That is between them.

MR. BABCOCK: Yeah.

MS. OWEN: So the only reason you need this is because of the easement?

MR. NUGENT: No, road frontage.

MS. OWEN: Road frontage?

MS. BARNHART: The width is not wide enough.

MR. ZIMMERMAN: Right, the lot width at this location setback.

MS. OWEN: From here to here.

MR. ZIMMERMAN: Right, is 80 feet, what we need is a hundred so that is the only reason why we need a variance, that is the reason why.

MR. NUGENT: I have no further questions. Does any of the board members?

MR. KRIEGER: What's in the back where you are going to put the, where you are going to put the proposed house, what's there now?

MR. ZIMMERMAN: The width?

MR. KRIEGER: No, what's on the ground?

MR. ZIMMERMAN: It's just vacant land, it's wooded, I will show you in the photos.

MR. NUGENT: Backs up to Brown's Pond or part of the Washington Lake there.

MR. ZIMMERMAN: This is all vacant land back here.

June 23, 1997

6

MR. NUGENT: Woods. Mike, do you have any other questions?

MR. KANE: Entertain a motion?

MR. NUGENT: Yes.

MR. KANE: I move we grant Mr. Domenico Scaglione a public hearing for this requested variance.

MS. OWEN: Second it.

ROLL CALL

MS. OWEN	AYE
MR. KANE	AYE
MR. NUGENT	AYE

MR. NUGENT: Michael, can we keep one of these for the record?

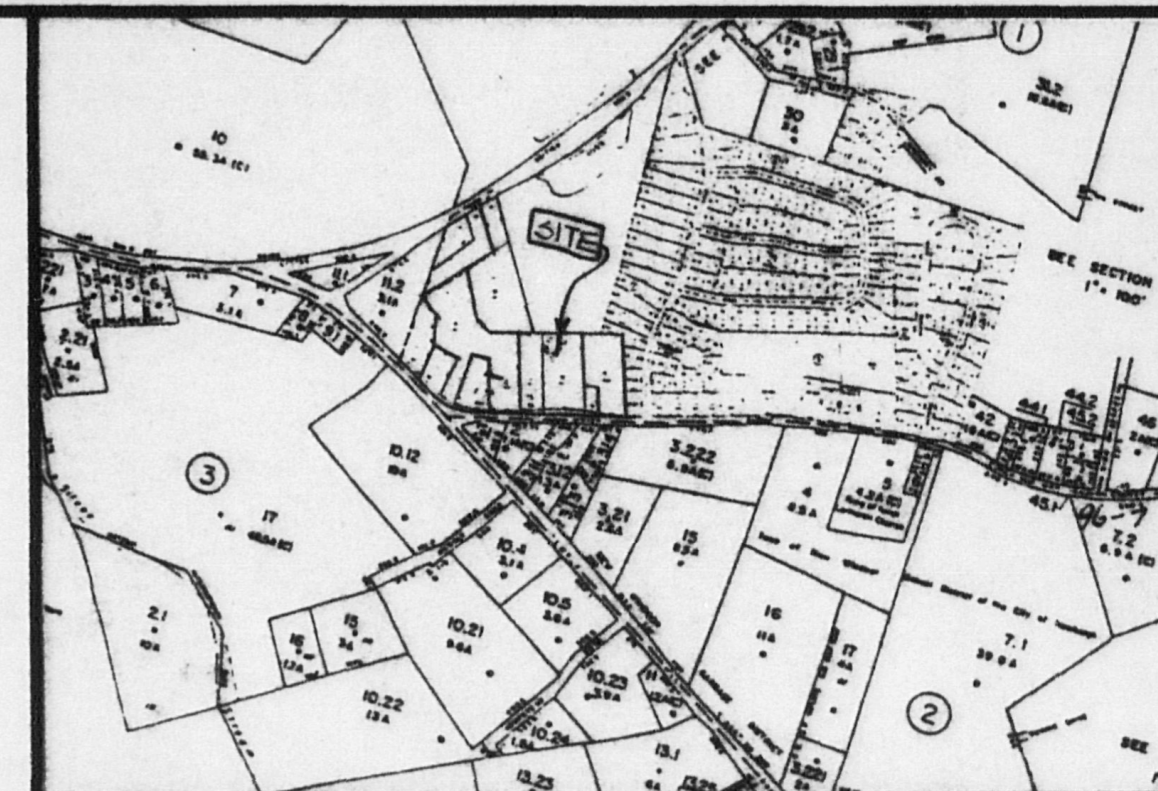
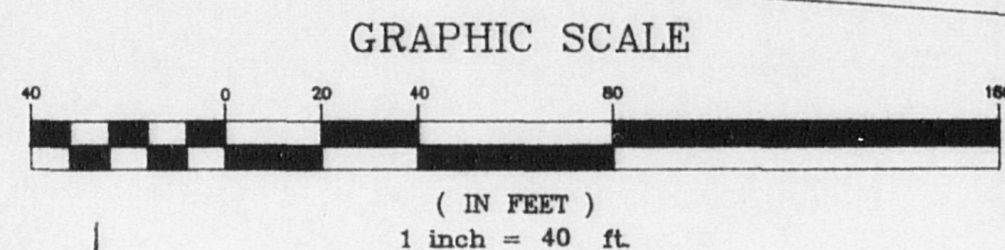
MR. BABCOCK: Yeah, Jim, that is for your records.

MR. KRIEGER: I'm sure you have seen this before, those are the standards so if you would address yourself to those at the time of the public hearing, that would be helpful.

MR. ZIMMERMAN: Schedule it through?

MS. BARNHART: Yeah, after you get the paperwork back to me all filled in, then you have to order your list too, that is another thing may take a while, I sent the paperwork to you, I think I did.

MR. ZIMMERMAN: I think so, thank you.



VICINITY MAP

SCALE: 1" = 1,000 S.F.

ZONING DATA

DISTRICT: R-4 W/ MUNICIPAL WATER & SEWER

	REQUIRED	PROVIDED	
		LOT NO.1	LOT NO.2
MIN. LOT AREA	= 15,000 S.F.	15,591.46 S.F.	50,709.65 S.F.
MIN. LOT WIDTH	= 100'	100'	80' * VARIANCE REQ'D.
MIN. FRONT YARD	= 35'	50'	(60') 208'
MIN. SIDE YARD	= 15'/30'	25'/88'	50'/129'
MIN. REAR YARD	= 40'	80'	128'

TAX MAP NO.

SECTION 6
BLOCK 1
LOT 20

DEED REFERENCE

LIBER 2366
PAGE 234

AREA

66,301± S.F.
OR 1.52± AC.

RECORD OWNER & SUBDIVIDER

DOMENICO SCAGLIONE
241 TEMPLE HILL ROAD
NEW WINDSOR, NEW YORK 12553

OWNER'S ENDORSEMENT

I THE UNDERSIGNED HAVE REVIEWED THE CONTENTS OF THIS MAP AND HEREBY CONCUR TO ALL TERMS AND CONDITIONS AS STATED HEREON, AND TO THE FILING OF THIS MAP.

NOTES:

- 1) UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.
- 2) ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
- 3) CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREIN, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNER.
- 4) UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.

I HEREBY CERTIFY THAT THIS MAP SHOWS THE RESULT OF AN ACTUAL FIELD SURVEY COMPLETED ON 2-18-97



REVISIONS:
JUNE 23, 1997

SHEET NO. 1 OF 3

SCALE: 1" = 40'

DATE: MAY 7, 1997

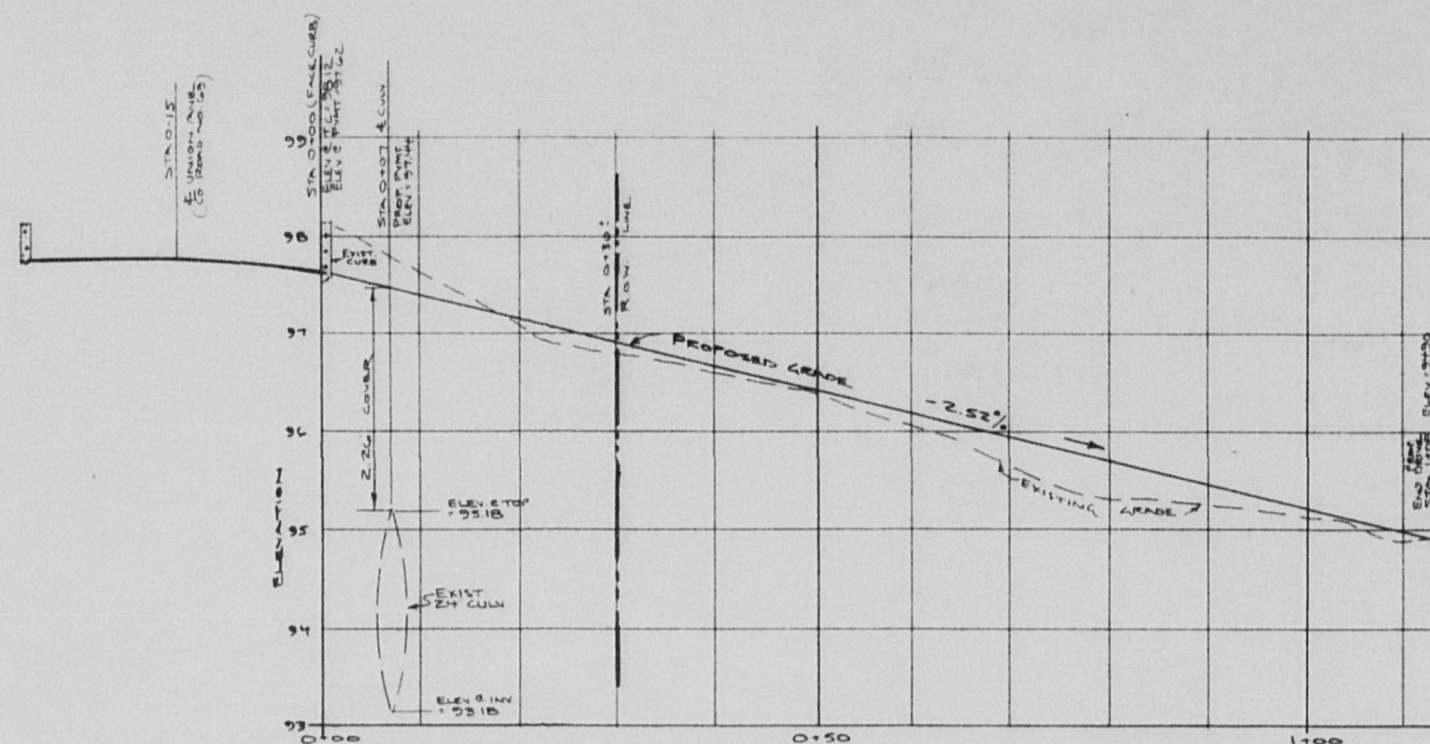
JOB NO.: 97004

DWG.: 9704SUB

DRAWN BY: J.F.

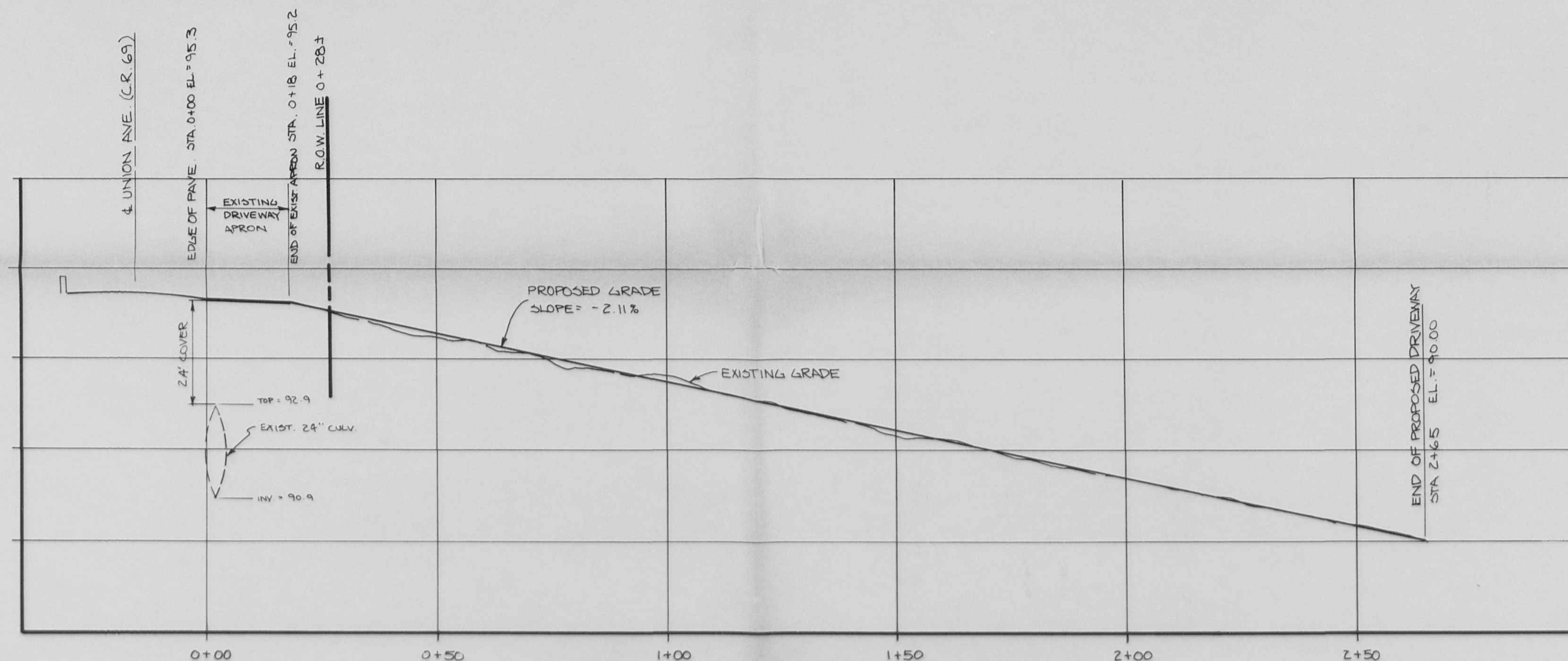
ZIMMERMAN ENGINEERING & SURVEYING, P.C.
ROUTE 17M
HARRIMAN, NEW YORK 10926
PHONE: (914) 782-7976

SUBDIVISION
FOR
DOMENICO SCAGLIONE
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK



DRIVEWAY PROFILE LOT NO. 1

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 2'



DRIVEWAY PROFILE LOT NO. 2

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 2'



GERALD ZIMMERMAN P.E. LIC. NO. 47391

REVISIONS:

SHEET 2 OF 3

SCALE: AS NOTED

DATE: JUNE 23, 1997

JOB NO.: 97004

DRAWN BY: J.F.

ZIMMERMAN ENGINEERING & SURVEYING, P.C.

ROUTE 17M
HARRIMAN, NEW YORK 10926

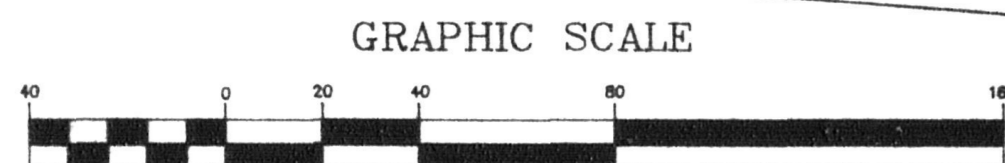
PHONE: (914) 782-7976

DETAIL SHEET

SUBDIVISION
FOR
DOMENICO SCAGLIONE

TOWN OF NEW WINDSOR

ORANGE COUNTY, NEW YORK



(IN FEET)
1 inch = 40 ft.



S.6 - B.1 - L.21
N/F HUGHES
L1931 P.702

LOT NO. 2

AREA = 50,709.65± S.F.

S.6 - B.1 - L.18
N/F INFANTE
L2863 P.134

PROPOSED
HOUSE

LOT NO.1

AREA = 15,591.46± S.F.

PROPOSED
HOUSE

UNION AVENUE
(ORANGE COUNTY ROAD NO. 869)

OWNER'S ENDORSEMENT

I THE UNDERSIGNED HAVE REVIEWED THE CONTENTS
OF THIS MAP AND HEREBY CONCUR TO ALL TERMS
AND CONDITIONS AS STATED HEREON, AND TO THE
FILING OF THIS MAP.

NOTES:

- 1) UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.
- 2) ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
- 3) CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREIN, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- 4) UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.

I HEREBY CERTIFY THAT THIS MAP SHOWS THE
RESULT OF AN ACTUAL FIELD SURVEY COMPLETED
ON 2-18-97



REVISIONS:

SHEET NO. 1 OF 1

SCALE: 1" = 40'

DATE: MAY 7, 1997

JOB NO.: 97004
DWG.: 9704SUB

DRAWN BY: J.F.

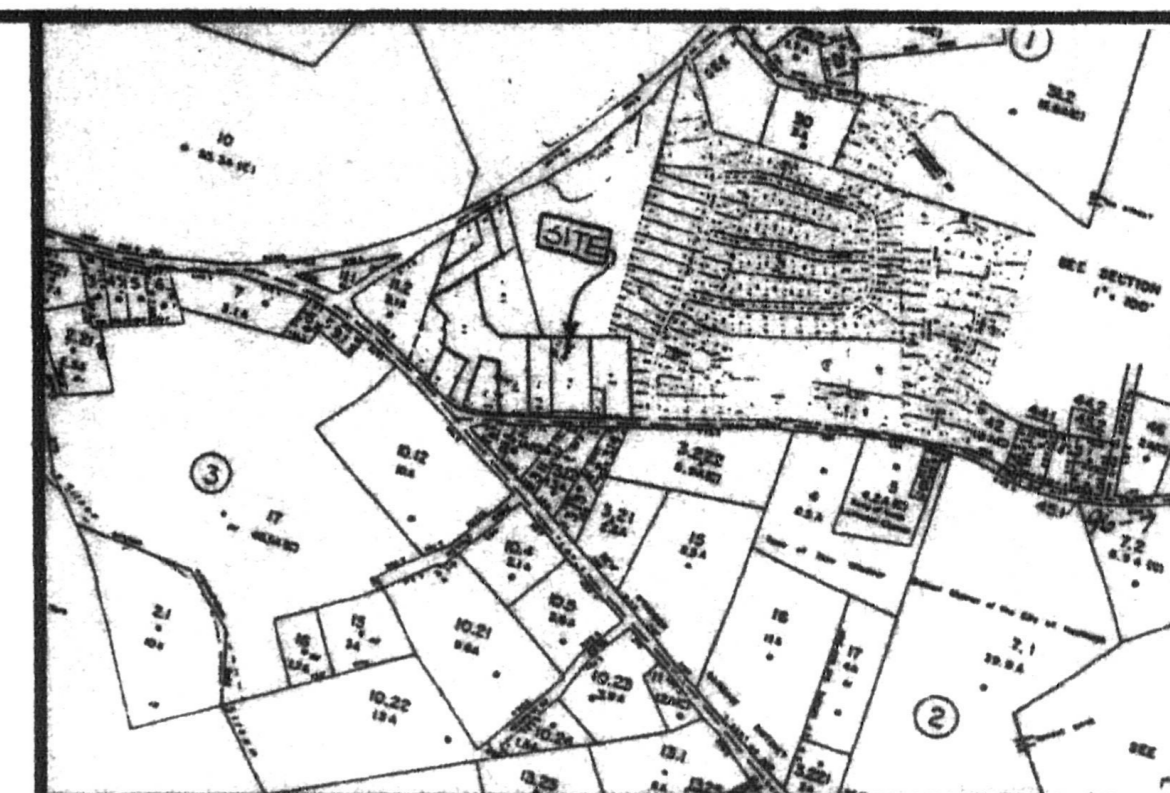
ZIMMERMAN ENGINEERING & SURVEYING, P.C.
ROUTE 17M
HARRIMAN, NEW YORK 10926
PHONE: (914) 782-7976

SUBDIVISION
FOR

DOMENICO SCAGLIONE

TOWN OF NEW WINDSOR

ORANGE COUNTY, NEW YORK



VICINITY MAP

SCALE: 1" = 1,000 S.F.

ZONING DATA

DISTRICT: R-4 W/ MUNICIPAL WATER & SEWER

	REQUIRED	PROVIDED	
		LOT NO.1	LOT NO.2
MIN. LOT AREA	= 15,000 S.F.	15,591.46 S.F.	50,709.65 S.F.
MIN. LOT WIDTH	= 100'	100'	80' + VARIANCE REQ'D.
MIN. FRONT YARD	= 35'	50'	(60') 208'
MIN. SIDE YARD	= 15'/30'	25'/88'	50'/129'
MIN. REAR YARD	= 40'	80'	128'

TAX MAP NO.

SECTION 6
BLOCK 1
LOT 20

DEED REFERENCE

LIBER 2366
PAGE 234

AREA

66,301± S.F.
OR 1.52± AC.

RECORD OWNER & SUBDIVIDER

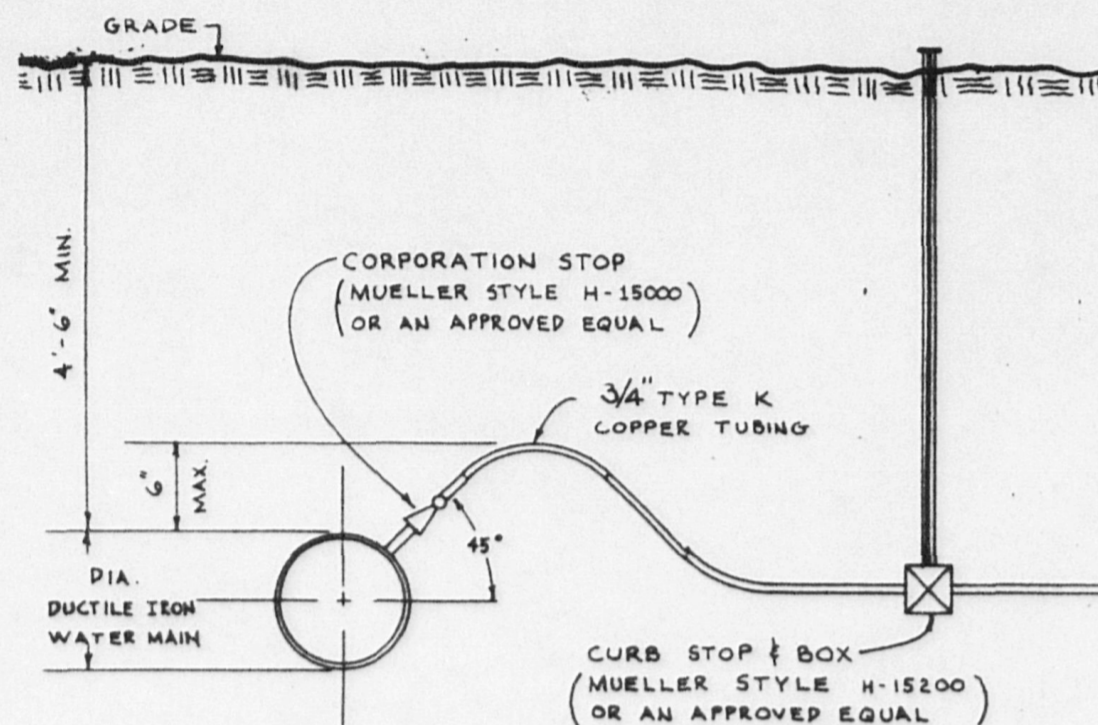
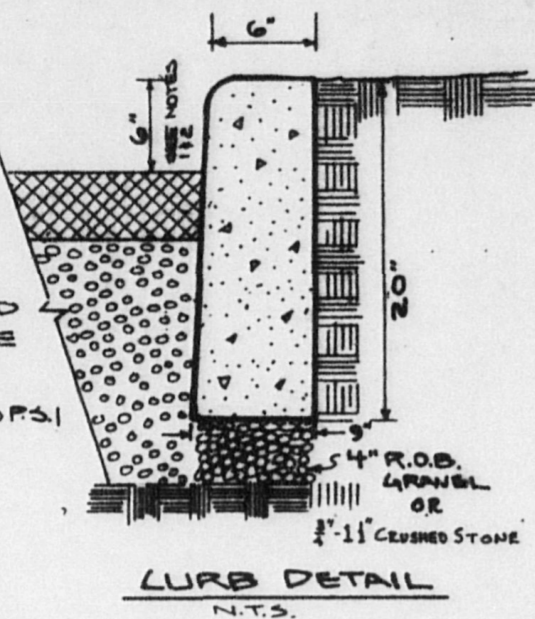
DOMENICO SCAGLIONE
241 TEMPLE HILL ROAD
NEW WINDSOR, NEW YORK 12553

RECEIVED MAY 9 1997

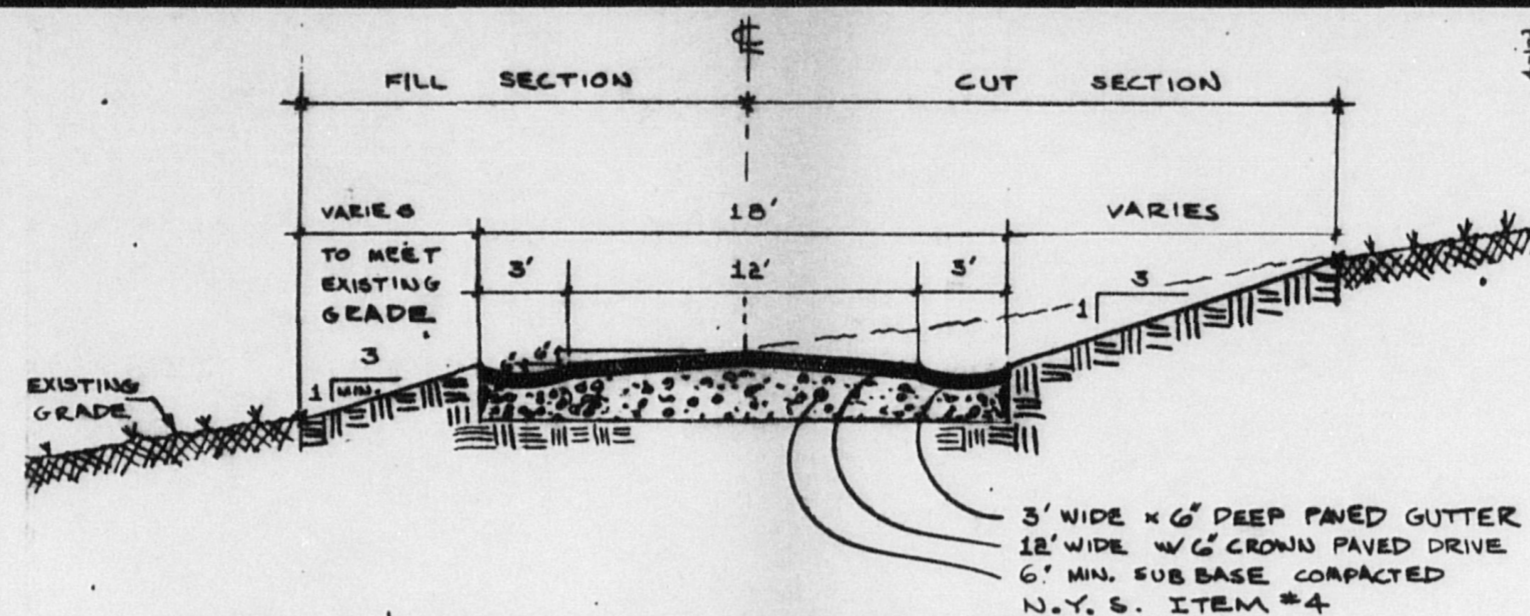
97-17

NOTES:

1. CURB FACE ALONG COUNTY ROAD NO. SHALL BE 7" HIGH.
2. PROVIDE 1" LIP ON CURB AT DRIVEWAY ENTRANCE
3. FIBER EXPANSION JOINTS CONSISTING OF 1/2" PRE-MOULDED FIBER JOINT FILLER TO BE INSTALLED AT 10' INTERVALS IN THE CURBING.
4. CONCRETE TO TEST 4000 P.S.I. AT 28 DAYS.



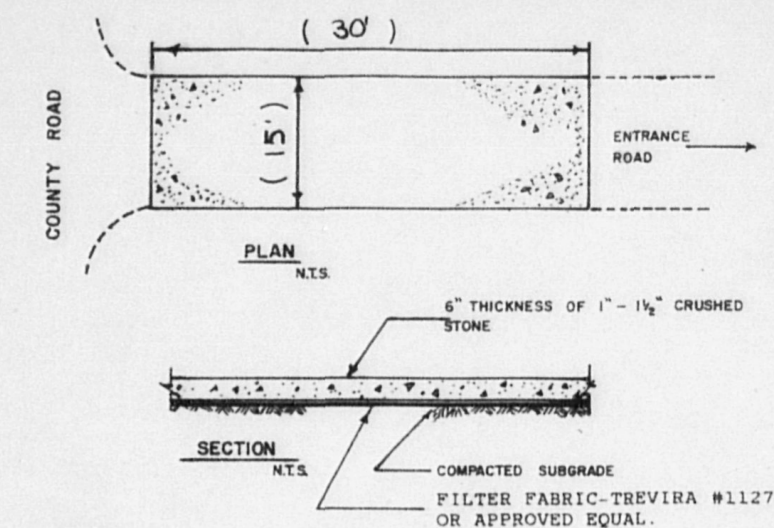
TYPICAL WATER SERVICE DETAIL



TYPICAL DRIVEWAY - SECTION DETAIL SCALE: N.T.S.

NOTES

- 1) FIRST 30' OF DRIVEWAY TO BE PAVED AND HAVE 3' WIDE X 6" DEEP GUTTERS ALONG BOTH SIDES (AS SHOWN ABOVE). (3" MIN. PAVEMENT THICKNESS)
- 2) DRIVEWAY BANKS TO BE VEGETATED AS TO PREVENT EROSION OF SOILS.
- 3) DITCH LINE ALONG COUNTY ROAD NO. TO BE RESTORED TO ORIGINAL CONDITION.
- 4) NO SITE PREPARATION OR CONSTRUCTION SHALL COMMENCE UNTIL A VALID ENTRANCE PERMIT HAS BEEN SECURED FROM THE ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS, UNDER SECTION 136 OF THE HIGHWAY LAW.



NOTE:
ENTRANCE SHALL BE MAINTAINED AS CONDITIONS DEMAND TO PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS OF WAY.

STABILIZED CONSTRUCTION ENTRANCE

All sedimentation structures will be inspected and maintained on a regular basis.

A crushed stone, vehicle wheel-cleaning blanket will be installed whenever a construction access road intersects any paved roadway. Said blanket will be composed of 6" depth of 1"-1 1/2" crushed stone, will be at least 30' x 100' and should be placed on compacted sub-grade and shall be maintained.

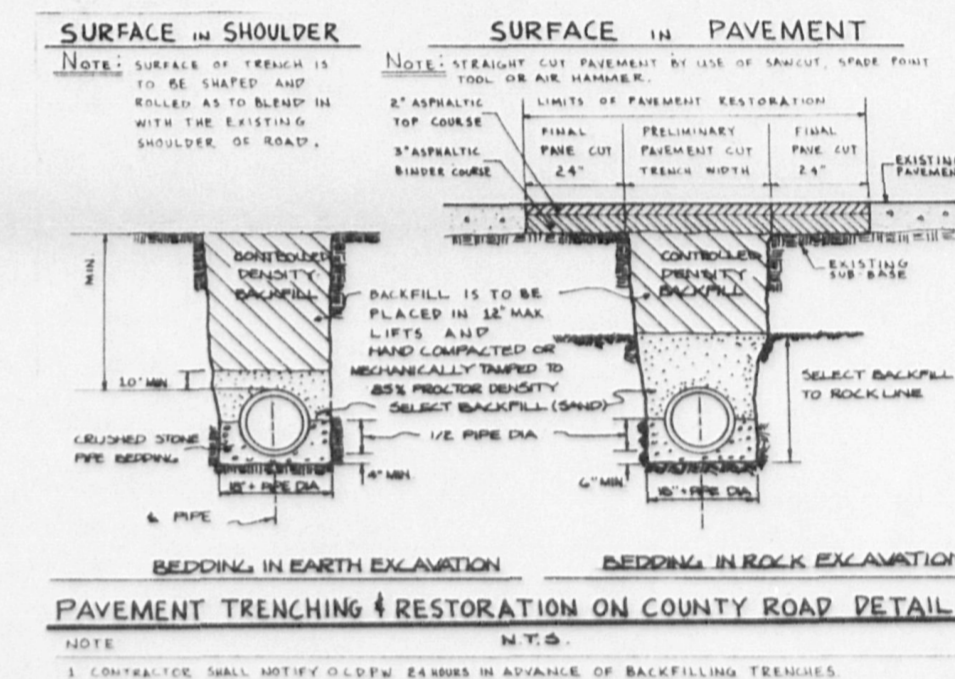
All driveways must be stabilized with 1"-1 1/2" crushed stone or sub-base prior to individual home construction.

Paved roadways must be kept clean at all times.

All catch basin inlets will be protected with a crushed stone or haybale filter (filter details appear off plan).

All storm drainage outlets will be stabilized, as required, before discharge points become operational.

All soil erosion and sediment control structures must be detailed on the plan.



PAVEMENT TRENCHING & RESTORATION ON COUNTY ROAD DETAIL

NOTE:
1. CONTRACTOR SHALL NOTIFY O.D.P.W. EARLY IN ADVANCE OF BACKFILLING TRENCHES.



GERALD ZIMMERMAN P.E. LIC. NO. 47391

REVISIONS:

SHEET 3 OF 3

SCALE: AS NOTED

DATE: JUNE 23, 1997

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